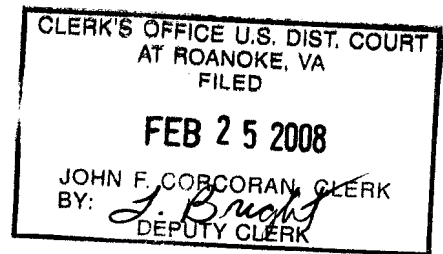


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION



EARL THOMAS, III,
Petitioner,

v.

GENE M. JOHNSON,
Respondent.

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Civil Action No. 7:07CV00248

FINAL ORDER

By: Hon. Glen E. Conrad
United States District Judge

For the reasons stated in the accompanying memorandum opinion, it is now

ORDERED

that the respondent's motion to dismiss shall be and hereby is **GRANTED**, and the petition for writ of habeas corpus shall be and hereby is **DISMISSED** and **STRICKEN** from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to the petitioner and counsel of record for the respondent.

ENTER: This 25th day of February, 2008.

A handwritten signature in black ink, appearing to read "Glen E. Conrad".

United States District Judge